

**SPECIAL MEETING  
COMMITTEE ON LANDS AND BUILDINGS**

**April 16, 2013**

**5:30 p.m.**

Chairman Osborne called the meeting to order.

The Clerk called the roll.

Present: Aldermen Osborne, Ludwig, Craig, Shaw, Levasseur

Messrs.: J. Beaulieu, E. Weist, D. Paris, D. Miller

Chairman Osborne addressed item 3 of the agenda:

3. [Communication from Ellen Weist, Manchester Community Grange Garden Project Director, requesting authorization to create a community garden.](#)

*On motion of **Alderman Levasseur**, duly seconded by **Alderman Shaw**, it was voted to discuss this item.*

Ms. Jane Beaulieu, Manchester Community Grange Garden, stated at this point in time, we could probably have Ellen introduce the project, unless you want me to say something before hand.

Chairman Osborne stated I'm sure they would like some explanation.

Ms. Beaulieu stated I can give you a little bit of background. Ellen came to me about four months ago talking about establishing a new community garden in the city. I think they are looking on the west side. Are you looking city wide?

Ms. Ellen Weist, Manchester Community Grange Garden Project Director, replied based on communications with the Parks department; the land on the west side was viewed as one potential site that would be suitable for the use.

Ms. Beaulieu stated the conversation commission is supporting it and I am also a member of the Piscataqua River local advisory committee. The property is located within 50 feet of the river or 25 feet of the river. I think it is great land use. Ellen has been working with the grange and in our first communication we talked about partnering up with certain non-profits that the City helps fund and Girls Inc. is an entity that the City supports. The Girls Inc. facility is right across the street from the potential community garden site so Ellen can talk probably more about her communications with them and how they are going to partner up with the grange. The City property is, I'm not quite sure how large it is, but I cycled there the other day and I think it is great land use. It is not being used by the City. I don't think it is big enough for any baseball or football. It is temporary so if the City wants to do something with it in the future, it is there.

Ms. Weist stated on another note, we are not large enough nor do we want to start that large as far as the property. We are not capable at this point of sustaining all of that property and there is use on that land during the summer months. The map that was passed out just a few minutes ago shows the highlighted area. That is the only area we are looking to use for the raised garden beds this year. It measures approximately 70 by 20 feet. It would not impede, that I am aware of, of any activities that are currently being held on the land and it is small enough to where we can start this successfully, working with both Girls Inc. and the individual gardeners who need the opportunity to raise vegetables for their home. On that parcel of land, we can only put on 28 raised beds if they were four by six feet. We are limiting it this year, putting limitations on it so we can learn, do this correctly so it can succeed and grow.

Chairman Osborne asked how are the costs taken care of with this project?

Ms. Weist replied the costs deal with the initial installation of the raised beds. It can go anywhere between \$75 and \$125. That is also a limitation factor. The individual gardeners involved will obviously have to pay for their own seeds, provide their own tools this year. It will cost the City nothing. This is a self sustaining project that the Manchester Community Grange wishes to do and we wish to build it to where the community can participate.

Chairman Osborne stated I don't think anything has ever been done down in that area. When is that last time that you have seen anything down there?

Ms. Beaulieu stated if I can add, the Pine Street community garden that was established ten or 12 years ago, I was a part of building the community garden and working with the neighbors, working with the UNH cooperative extension and so I have a lot of background in raising funds and communicating with the community to get them involved with what needs to be done. I'm not going to say I am going to be the supervisor, Ellen certainly will be, but she will have my ear to phone and really assist her with getting this going and doing it the right away.

Ms. Weist stated and we are appreciative of any and all support because we need to learn how to do this together. We have worked with the UNH cooperative extension. They have a new program this year called community of practice and I am working with ten groups, myself and another member of the grange, are working with ten groups around the state trying to either establish or create youth gardens because this community garden can have a lot of positive impact on the community. We are trying to build the resources and get the information to do it correctly.

Alderman Shaw stated I think it is a great idea. I was trying to exactly pinpoint where this is.

Ms. Beaulieu asked do you know where the pool is?

Ms. Weist stated you get on Varney Street, take a right onto Head Street and it is the first right is Dunham Street.

Ms. Beaulieu stated so it is very close to the pool and it is very close to GAM Electrics.

Alderman Shaw stated and across from Girls Inc.

Ms. Weist stated correct. That is why when she mentioned that organization we contacted them and they are also interested in starting programs and we are looking forward to assisting them and developing them.

Ms. Beaulieu stated the City is currently funding the café there so I think it is a great match for them to grow some vegetables that they are going to be using in the café.

Alderman Shaw stated I think it is a great idea because the residents in my area, in the south end at the Elm Wood gardens project area, they have been trying to work with Velcro to use a portion of their land across the street from there. They have some issues because there is no water supply whereas you have a water supply down there. There are some other issues, stumps and things.

Ms. Beaulieu stated you can make the water supply happen. I can help you with that. It is great if we can get more community working with more community.

Alderman Shaw stated they are very anxious to do something like this. I think it is great. I wish you luck.

Ms. Weist stated thank you, but the Manchester Community Grange is an organization that is about the community. It is not about the grange. As we develop and as we find other organizations, after school programs that have the ability and have the desire, we are there to assist them in doing that. It is one community with a lot of different people and a lot of different expertise. Working together I know we can do this.

Alderman Levasseur asked is this going to be put into a LLC or something that protects the City or is the land part of the City?

Ms. Weist replied excellent question. The grange is a fraternal organization. We are chartered and recognized on the national level. One of the limitations on this land is that we must carry a \$1 million general liability policy in order to move this forward. We understand that and the quotes that we have received from some insurance agencies, it is doable and we understand that is a limitation and if we do not we will not be able to use this land.

Alderman Levasseur stated as far as the insurance, that would be for something that occurred on the property to someone who was going on there. Are they going to be signing any kind of waivers? An assumption of the risk? There is very little risk obviously in planting. I don't know if someone is inside there and then all of a sudden a groundhog jumps out and they get bit. I'm a lawyer and I hate to be the wet blanket, but we look for places to go get money.

Ms. Weist stated we have a formal garden committee that has been established. I didn't add the application that we are working on because of the amount of paper, but we will have a formal application. People have to understand how the policies are going to work, what are the hours of operation. No one can go to the garden area before 10:00 a.m. to make sure that we recognize the residents who live there. Yes, we will have formal applications that cover all that and I will share that with anyone who wishes.

Alderman Levasseur asked did you check with the one in Boston, which is a really big project that is nicely done? Did you ask anyone there how they handle it? What their documents are? Maybe they have a website to give you a little but more of an insight into this.

Ms. Weist stated actually no, not Boston, but we have so many in the State of New Hampshire that you would be amazed. We have been attending workshops with UNH cooperative extension. We have visited the Massabesic and on May 18<sup>th</sup> we are going to the Boscawen gardens. We have been using the youth gardens and the community gardens that are out there are models and have been talking to them to identify how we need to do it and what we need to do to be successful.

Alderman Levasseur stated the last question that I will ask you is concerning the email that you just handed out concerning the area where someone else tried to grow down there. You read the email; how do you handle those concerns?

Ms. Weist replied we are aware that wildlife and potential vandalism is possible. We are aware of that. This first year we will not be taking any additional measures. We don't have the funding for it. I want to interact with the environment. There are preventative measures that we can take that do not cause

harm to the animal. It is going to be a challenge. In the first year we might have some issues with either or, but we are going to have to identify them, adapt to them and see what we can do to improve it.

Alderman Levasseur asked will you be able to get spades into the ground this year if we approve this today?

Ms. Weist replied that is our hope.

Alderman Levasseur stated I'm really excited about this project. I think it is a great idea.

Ms. Beaulieu stated I belong to the Friends of the Valley Street Cemetery and we have forms for volunteers to sign off on that were drafted by the City so we can certainly use that model to have the participants, the people on the property, to make sure they sign them before they engage in any activity.

Alderman Ludwig stated I think it is a good idea. Is this the old bobbin factory?

Ms. Weist replied it is the old bobbin factory.

Alderman Ludwig stated just so I am clear, I'm looking at the picture, but it has been a while since I have been there, is your area the 70 by 20 feet area? That's it?

Ms. Weist replied that's it. We don't want to start so large that we fail.

Ms. Beaulieu stated they can start small and then build from there.

Ms. Weist stated the opportunity for the number of people can be assisted by this, how many children can learn that through hard work you can actually gain something is too valuable to do this quickly. We need to do this smartly.

Alderman Ludwig asked you aren't going to be in conflict with Parks and Recreation? They have weight in, right?

Ms. Beaulieu replied yes, they have. I think she went to them first and then they contacted me and we went back and forth. Peter and Jessica are fine with it.

Alderman Ludwig stated I really can't tell how close you are to any houses. Are you close to any houses?

Ms. Weist replied yes. One of the resident letters that you have from GAM Electronics is directly on there. All the other houses are separated by a wooded area by 250 or 300 feet. They will have visual and or any noise that might occur, but no, they are not as close as GAM Electronics is. He is 100% supportive of the project. He is quite a history buff so I'm hoping he can share that with some of the kids.

Alderman Ludwig stated I thought I read it in here, but how do you determine who gets what initially?

Ms. Weist replied unfortunately, it is going to have to be on a first come first served basis this year. We have to have people involved who are willing to do the work to get it started. We will be putting an ad in the paper. The timing is going to be dependent on whether or not we are approved by the City. Planting time is right around the corner. We started this in October and at the end of May,



beginning of June, we need to be putting the seeds in. It will be a first come first served for this first year.

Alderman Ludwig stated I hope you don't get into, well, I'm a taxpayer too and I deserve space there. That is not going to happen, right?

Ms. Beaulieu replied I am going to work with them to look to see what they have for bylaws.

Alderman Ludwig stated this is public property.

Ms. Beaulieu stated the Pine Street garden was as well so we can follow that model. It is a little different from the Pine Street garden because in that garden there are a lot of refugees and immigrants who work with The Way Home who have those gardens. These gardens will be actual residents who may have been living in the city for many years who have downsized and may be in an apartment. It will be similar, but it will be geared more towards the actual neighborhood and the people who have been living there for a while.

Alderman Ludwig stated I don't doubt your desire to try and be fair, but I'm just wondering if you are going to get into issues. Sometimes people don't take no for an answer just because they were late or whatever.

Ms. Beaulieu stated maybe if they have to build them it is a different story.

Alderman Ludwig asked how did we get to Polaris Charter School?

Ms. Weist replied because I, personally, and some of our members, want to support the youth and provide educational resources. I have a background of working with school programs and we want to develop this. Some of the programs that Massabesic is doing over the summer and a lot of gardens around the nation, have youth programs even in the classroom. I even brought some material if you wanted to look at it. How can we provide an opportunity for kids in the classroom to utilize this? We picked Polaris because of their presence on the west side. They are a small enough school to where I felt we could use them as a test model, identify what works with the kids and what doesn't work, to see what we can develop for other schools.

Alderman Ludwig asked was there outreach to Parker Varney School?

Ms. Weist replied at this time no, because of the size. We have never done this before. I could not go to Parker Varney School at this point. Did I involve them in the initial startup? I did not. Is that the intent? Yes. If any teacher wants the opportunity we can share it with them.

Alderman Ludwig stated my suspicion is that there wouldn't be interest, but for me, personally, I wish that they were at least asked.

Ms. Beaulieu stated I think at this point in time, if they start the project with her small group this year then next year they can invite different communities and schools.

Alderman Ludwig stated there are a lot of grammar schools on the west side.

Ms. Beaulieu stated right now, because this organization hasn't done it before, they haven't taken the lead, I think it is good for them to just associate with the people who they have connected with. There is certainly a lot of room to grow.

Alderman Ludwig stated I don't want to pit one schools against another, Jane, I just don't want parents going to the School Board members, in that section, saying that they were never even approached.

Ms. Weist stated I understand and agree with you 100%.

Alderman Ludwig stated I have nothing against Polaris.

Ms. Weist stated logistically, in order for this to work or in order to even develop a program with the school, we have to be able to pay the transportation costs. The grange is not set up or prepared to pay transportation costs at this point.

Alderman Ludwig asked is this something that has to be done during school hours? I'm assuming you could go there on a Saturday morning and weed if you want to.

Ms. Weist responded that is a possibility, yes.

Alderman Ludwig stated this is something that parents unfortunately have to pitch in and bring the child there. Am I wrong?

Ms. Beaulieu replied we can talk about it. If you feel that we should reach out this year to the schools on the west side...

Alderman Ludwig interjected it would be a nice way to bring the kids from the Polaris School together with a public school setting so they know what real life experiences are about too.

Ms. Weist stated absolutely, and we will take care of that oversight, but the school will not be participating on the garden plots this year.

Alderman Ludwig stated I think it is great for schools. I think it is wonderful to get kids involved now. My wife teaches fourth grade and they love to do those kinds of things. I wish we had it at Webster School and if someone in the north end knew where we had some land and maybe we could do one there. It is a good idea. I support it.

Alderman Levasseur asked could we send this to the full board this evening because of timing issues?

Chairman Osborne stated we can get that in for this evening.

Ms. Beaulieu asked should someone be here?

Alderman Levasseur replied no. Whatever this committee says goes throughout the whole City; they don't even argue with us.

*On motion of **Alderman Craig**, duly seconded by **Alderman Shaw**, it was voted to approve this item.*

## TABLED ITEMS

4. [Report of the Committee on Lands and Buildings:](#)

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that the communication from Constantine Scrivanos on behalf of the Dunkin' Donuts Store located at 921 Beech Street to purchase City owned parcel 271-2 be approved with the following stipulations:

- the property be deemed surplus;
  - the applicant submit a Lot Line Adjustment plan to the Planning Board for approval;
  - the applicant maintains an existing 12 foot buffer; and
  - no building expansion be allowed within the parcel
- (Unanimous vote with the exception of Aldermen Ludwig and Osborne who voted in opposition)*

*(Note: Tabled 11/19/2012; Referred back to the Committee on Lands and Buildings by the Board of Mayor and Aldermen on 10/02/2012)*

This item remained on the table.

5. [Status report on the Adam Curtis Skate Park presented by James DeStefano.](#)

*(Note: Retabled 1/15/2013; Originally tabled 11/19/2012)*

This item remained on the table.

## ADDENDUM

Communication from David Paris, Water Works Director, requesting authorization to purchase a piece of property in Hooksett.

*On motion of Alderman Levasseur, duly seconded by Alderman Shaw, it was voted to discuss this item.*

Mr. David Paris, Water Works Director, stated good afternoon. Here with me today is David Miller so this is the David and David show. David is the water supply administrator for Manchester Water Works. His offices are out at Lake Massabesic. We are here this evening to request the committee's endorsement for us to go forward with a purchase of seven and a half acres of property on the Merrimack River off of Quality Drive in Hooksett. This property is important to us. It was identified through fairly extended studies that we have done over the last three or four years as the best site for the City's future water resource intakes. We have studied different ways to do that. I gave you the thumbnail sketch in the letter that I sent to you. Essentially we are looking for sand and gravel deposits on the shore of the Merrimack River where we could install wells that would have laterals that would run out under the river bed. With all that in mind, the very specific nature of the site that we found, we feel meets all those criteria. If you would like more detail about that approach certainly we would be happy to give it to you, but the negotiation that we just recently completed with the owners of the property, which are West River LLC, was at a negotiated purchase price of \$435,000. We did have this property appraised by Crafts Associates. I have included in the package the executive summary of the letter of the Crafts appraisal where they estimated the cost of the property or the value of the property at \$380,000. The Hooksett tax assessment currently on the books is \$372,000. As I said, it is an important piece of property for us from the perspective that we see it as the best option for us to establish our future water resources on the Merrimack River. It has about 1,000 feet of shore frontage. It is actually quite a lovely spot.

Chairman Osborne asked was anyone else interested in this particular piece of property besides the Water Works?

Mr. Paris replied not to my knowledge, Alderman. We approached West River LLC pretty much cold on this.

Mr. David Miller, Water Supply Administrator, stated I agree with Mr. Paris. We are not aware of anyone else who was interested.

Alderman Levasseur stated your estimates and the assessed value are much lower than the offer. Why is the offer so high?

Mr. Paris replied this was a bargained negotiation. This is a mixed use zone and the current owners were coming from a place somewhere north of \$600,000 because they felt that they could subdivide this into separate riverfront, shorefront lots. We started out low, they started out high and we arrived at this value. We would have certainly like to have gotten it at or below its appraised value, but the Water board, again, with some non-public participation had given us some criteria to go by and this essentially met it.

Alderman Levasseur asked can you tell us who West River LLC is and who the managing partners or members of that are? Are they Manchester residents or are there connections that we should be worried about before we agree to this?

Mr. Paris replied no. West River LLC is located in North Hampton. The two owners of West River are Jim Watkins and Arly Green. There is no connection to Manchester.

Alderman Levasseur asked and who was their negotiator? Did they have an attorney?

Mr. Miller replied they were not represented by an attorney.

Alderman Craig stated so you offered \$380,000 and they said no. When we go through the CIP process when we are purchasing buildings, we usually approve up to the appraised value and that is where it ends so to see this is much different than what we are used to seeing.

Mr. Paris stated I understand. We did offer them \$380,000, actually less than that, and then got to \$380,000. I think the dead give away here is that we had been doing exploratory hydrogeology on that site for about a year. They are quite aware of our interest and that we had identified it as a prime site. I think that may have been part of their bargaining posture.

Chairman Osborne stated I think just because it is appraised or assessed for x amount of dollars doesn't mean that the people who want to sell the property want to sell it for that. That is the whole situation, I guess.

Alderman Levasseur asked can I ask you if this will generate any savings for your department or how it is going to increase your asset base or how it is going to improve our water distribution system?

Mr. Paris replied those are great questions, Alderman. First of all, the reason that we are going here is because our service district currently consumes about 90% of the capacity of Lake Massabesic, not 100%, but about 90%. With any growth and or with any really extended dry spells, we would be at our water deficit which would cost money. Insofar as the economics are concerned, we don't want to be in a water shortage situation. I will give Mr. Miller his fair share of credit here. We were looking at this approach of withdrawing water from the river as a way to create treatment which is somewhat cheaper than or less costly than what we would have to do otherwise if we were just withdrawing that river water into a treatment facility. As we all know, the river has the potential to be very flashy and



very dirty. That creates a treatment facility that is fairly advanced and extensive. By doing this well intake approach where we have well actually driven out under the riverbed, the riverbed provides that first level of treatment. We anticipate that we will be able to further purify that water and be able to deliver it as economically as we do at Massabesic, but most likely cheaper. We look at this as a way to be able to produce water at less cost.

Mr. Miller stated essentially using the riverbank itself as a pre-filter. You are giving it a pretty high level of treatment right from the state, before you have to do anything else.

Alderman Levasseur asked is there a fee that has to be paid for the use of water out of Hooksett on their river? There is not a location in Manchester where this could have been done? I'm just wondering if there is a cost involved when you start using that. Is it only used under certain circumstance? It is a safety preventive type issue?

Mr. Paris replied again, great questions. The water in the Merrimack River and beneath it is public trust aquifers and would be regulated by the State Department of Environment Services. We have already been in touch with them on these questions to ask them if there are limitations that we would be running into, should we bother going forward with this, what will it take and their answer to us is that this is probably the best place that they could think of for us to site these types of wells with this kind of capacity. The short answer is no, there is no surcharge on the water because it is Hooksett. A question you didn't ask, but I will answer, is Manchester Water Works has very large water mains right in that area at North River Road that will enable us to transport that water directly into our water system with a minimal amount of water mains being installed as well.

Alderman Levasseur asked there are no jurisdictional issues with Hooksett that we have to be concerned with?

Mr. Paris replied no.

Chairman Osborne stated we could talk all night about this. This is their money. I guess they know what they are doing. They are self sufficient.

*On motion of **Alderman Levasseur**, duly seconded by **Alderman Shaw**, it was voted to approve the addendum.*

*There being no futher business, on motion of **Alderman Ludwig**, duly seconded by **Alderman Levasseur**, it was voted to adjourn.*

A True Record. Attest.

A handwritten signature in black ink, appearing to read "Heather Freeman". The signature is fluid and cursive, written on a light gray rectangular background.

Clerk of Committee